

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2009-161644-002 DT

12/01/2010

HON. RANDALL H. WARNER

CLERK OF THE COURT

T. Pavia

Deputy

STATE OF ARIZONA

ANTHONY CHURCH

v.

ELIZABETH HERNANDEZ (002)

STEVEN J FULLER

VICTIM SERVICES DIV-CA-CCC

**TRIAL MINUTE ENTRY**  
**DAY 2**

**Courtroom 512 East Court Building**

State's Attorney: Anthony Church/April Sponsel

Defendant's Attorney: Steven J. Fuller

Defendant: Present

Court Reporter: Marmie Guimont

A record of the proceeding is also made by audio and/or videotape.

10:13 a.m. Trial to Jury continues from November 30, 2010. The jury is not present.

Preliminary Instructions are reviewed with counsel.

Defendant invokes the Rule on Exclusion of Witnesses.

10:34 a.m Jury is returned into Court and the trial continues in the presence of the jury.

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Preliminary Instructions are read to the Jury by the Court.

The Indictment is read by the Clerk to the Jury and the plea of the Defendant made known to them.

Opening statements are presented.

**State's case:**

State's exhibits 17 and 18 are marked for identification.

Inayat Alikhan is sworn and testifies.

Michael Bender is sworn and testifies.

State's exhibits 15 and 16 are received in evidence.

Officer Jim Weege is sworn and testifies.

State's exhibits 1 through 13 are received in evidence.

State's exhibit 18 is opened and received in evidence.

12:00 noon. Court stands at recess.

1:32 p.m. Court reconvenes with Defendant and respective counsel present. The jury is present.

Court Reporter, Marmie Guimont, is present.

A record of the proceeding is also made by audio and/or videotape.

Officer Abram Fogelson is sworn and testifies.

State's exhibit 17 is opened and received in evidence.

A jury question is received, discussed with counsel, and asked of the witness.

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FILED: Jury question

Officer Don Host is sworn and testifies.

**State rests.**

Out of the hearing of the jury, Defendant moves for Rule 20 Judgment of Acquittal.

IT IS ORDERED denying Defendant's Motion for Rule 20 Judgment of Acquittal.

2:21 p.m. Court stands at recess.

State's exhibit 19 is marked for identification.

2:39 p.m. Court reconvenes with Defendant and respective counsel present. The jury is present.

Court Reporter, Marmie Guimont, is present.

A record of the proceeding is also made by audio and/or videotape.

**Defendant's case:**

Elizabeth Hernandez is sworn and testifies.

State's exhibit 19 is received in evidence.

Jury questions are received, discussed with counsel, and asked of the witness.

FILED: Jury questions

**Defendant rests.**

**State's rebuttal case:**

Officer Weege resumes the stand and testifies further.

A jury question is received, discussed with counsel, and asked of the witness.

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FILED: Jury question

**Both sides rest.**

3:40 p.m. Court stands at recess until **10:30 a.m. December 2, 2010**

Defendant's presence waived for the settling of Instructions.

Final Jury Instructions are settled and verdict prepared.